



Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Dianne R. Nielson, Ph.D.
Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

September 28, 1988

Mr. Kenneth R. Poulson
Vice President of Mining and Exploration
Brush Wellman, Inc.
67 West 2950 South
Salt Lake City, UT 84115

Ken
Dear Mr. Poulson,

Re: Mining and Reclamation Plan Review, Topaz Mine, Brush Wellman, Inc., M/023/003, Juab County, Utah

My staff has finished their review of the Mining and Reclamation Plan (MRP), which you submitted on June 10, 1988. They have also evaluated it for consistency with earlier commitments made between Brush Wellman and the Division. Our evaluation follows of the current status of this permit.

The operator has requested several variances in the MRP. All of these will be granted by the Division with the addition of several stipulations. These variances and stipulations are listed below:

- ✓ 1. On page 26 of the MRP, the operator has requested a variance from rule M-10(4), for waste dump outcrops. The Division granted this variance in a plan review letter dated July 22, 1987, page 3, under M-10(4)-JRH. The variance has been addressed to the Division's satisfaction in the MRP.
- ✓ 2. On page 32 of the MRP, the operator has requested a variance from rule M-10(5), to leave pit highwalls at an angle greater than 45 degrees. The Division granted a conditional approval to this variance in a plan review letter dated July 22, 1987, page 3, under M-10(5)-JRH. The variance requires that the operator commit to monitoring, maintaining, and repairing any unstable slope conditions throughout the life of the mine and during the reclamation period.

The Division will change the wording of this condition to read: the operator must commit to monitoring, and repairing any unstable slope condition which may impact areas to be reclaimed, or create a safety hazard for Brush personnel or the general public. This condition will apply for the life of the mine and the subsequent bonding period..

3. On page 46 of the MRP, the operator has requested a variance from rule M-10(12) for the revegetation of 255 acres of tuff covered dumps, and 177 acres of rhyolite covered dumps.

The Division granted a variance for the tuff covered dumps in a letter dated January 19, 1988. No Division conditions were stipulated. However, in the MRP, the operator has committed to berm the top and bottom of these dump slopes, and to reseed the bottom berm. The operator has also committed to scarify the top of these dumps to enhance volunteer plant establishment.

The Division will grant a variance from rule M-10(12) on the rhyolite covered slopes under the following condition:

That included with the 3 lbs/ac of rabbitbrush addressed in the MRP, the operator add the following species to the seed mixture:

Sitanion hystrix	squirreltail	2 lbs/ac
Oryzopsis hymenoides	indian ricegrass	2 lbs/ac
Agropyron spicatum	bluebunch wheatgrass	3 lbs/ac
Melilotus officinalis	yellow sweetclover	1 lb/ac
Atrilex canscens	fourwing saltbush	2 lb/ac

The operator may decrease the amount of rabbitbrush to 2 lb/ac if desired. If the rate is changed, it needs to be indicated in the MRP.

4. The operator has requested on page 34 of the MRP, a variance from rule M-10(14), to eliminate topsoiling of several specified backfilled pits. The Division granted a conditional approval in a plan review letter dated July 22, 1987, page 4, under M-10(14)-JSL. The Division stipulated that the operator must stockpile any small amount of topsoil material encountered during the construction of these pit areas; and that any new topsoil material salvage would have to be addressed in the annual report. The operator has addressed this condition on page 22 of the MRP, but still must commit to incorporating the information on salvaged material into the annual report.

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Once Brush Wellman has adequately addressed the conditions under items 2, 3, and 4 above, the Division will be satisfied with the content of the MRP.

The Board of Oil, Gas and Mining in concert with the Attorney General's office is still reviewing our bonding forms, hence they are still not available at this time. The forms that you will need to complete, for self bonding will be: 1. the Self Bonding Agreement, 2. the Reclamation Contract and, 3. the Self Bonding Qualification Sheet. As soon as these become available we will send them to you. Once completed we will be able to proceed with the final approval of your plan.

Thank you for your time and patience.

Sincerely,



Lowell P. Braxton
Administrator
Mineral Development and
Reclamation Program

jb
cc: Minerals Team
Bob Bayer, JBR
5/28-30